

Previous references.

P 20E

1904

File No.

R 214 of 03-04

(Genl Finance)

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 to 4

PART B. FOR July

SUBJECT.

Re modification of existing rules relating to the grant of increments

FILE No. R. F. 214 of 1903-04.	
	Modification of the existing rules relative to the grant of increments attached to progressive appointments.
✓ 1	From the Revenue Commissioner, No. 5248, dated 30th March 1904. Suggests that a clear ruling be laid down to the effect that periodical increments to officials holding appointments carrying progressive salaries, be granted only with the sanction of the authorities competent to make the appointments in the first instance.
✓ 2	To the Comptroller, No. Fl. 3145, dated 18th May 1904. Forwards the above for opinion.
✓ 3	From Comptroller, No 6781—1994, dated 27th May 1904. States that Article 62 of the Civil Account Code is clear on the point and that no modification of existing rules is necessary.
G. R. S. 4	To Revenue Commissioner and Comptroller, Government Order No. Fl. 422-3—R. F 214-03, dated 21st July 1904. Observes that no modification of the existing rules relating to the grant of increments attached to progressive appointments, is necessary.

File No. (if any)

Branch

Dimensions —

No., date and purpose of receipts to be entered in red, and office note in black ink in order of dates.—To be written only on one side, and inside the line of margin.

Subject.

Ruling as to who should sanction periodical increments to officials carry progressive pay.

Revenue Commr's
Letter No. 5242 of 30th March 19

The Rev Commr suggests the issue of a clear ruling to the effect that the increments should be sanctioned by the authority competent to make the appointment finally in the first instance.

The quotation ^{in the letter} from Article 98 of the Mysore Service Regulations, has been revised as follows by Addenda & Corrigenda No

Substitute the following for the second sentence of this article:—

When an increment is withheld the period for which it is withheld is at the discretion of the authority having power to withhold who will also decide whether the postponement is or is not to have the effect of similarly postponing future increments. The authority having power to withhold is, in the case of ministerial and menial officers, the head of the office and in the case of other officers the Government which may delegate the power to Heads of Departments (No. 60, dated 10th August 1903).

All the same, the doubt continues and an inference can only be made.

As to powers of appointment, the Ruler has the—

"Power to confirm appointments of Taluk Sheristads and all other appointments the monthly salary of which exceeds Rs 40/-

Vide Notice No 37 of 8-8

Deputy Camrads — up to the
Assistant Camrads — "
Amildars —

Submitted

Copy

The question may be explained by taking a concrete case.

Taluk Sheristads, set in the ments as follows:—

1st claim No. 50-2-60

2d do

40-2-50

Mr. This the price
the increase must be more
afford a fair? Who should
give it? There 2 gals
arise, approved service being at the

Mr. Talbot Mr. is a
Ministerial Officer on the
Talbot Establishment - His
appointment is subject
to the Confirmation of
the Rev Com. But the
appointment must be made
by the Dy Com. (vide rule
of the L. R. Rules). The
Head of the Office for
practical purposes is the
Dy Com. - If he can

withhold an increase must
be can also give it.
If then becomes an inter-
est each time an officer
went across to an office
Mr. Knud to make a
reference to the Rev Com.
of their his approval
and their part the
will meet - In this

Letter No. 1994827-5-04

The Comptroller in repl,
states that no ruling is necessary as the ^{sanction accorded to the} first appointment covers also the increments attached to the appⁿ and refers to article 6 of the Civil Act Code in support of his opinion.

Subd

When an officer is appointed to a progressive post, it would appear that not only the initial pay but also the subsequent periodical increments are sanctioned therein. But he has to satisfy some conditions like putting in a certain period of service, for actually getting the increment. So long as the Head of the office, certifies that these conditions have been fulfilled, for which purpose, the periodical increment Certificate is required, he would appear to be entitled to it. The ^{form of the} Certificate runs: "He is allowed the sanctioned periodical increment" and this shows that no further sanction of the increments themselves as they fall due, is necessary. ^{Of course, the increments may be withheld under art 98 Mysore Service Regulations.}

Subd. to the Secretary

Mull. 7/6/02

Please put up a draft reply accordingly

28/6/1904

Article 62. To the first bill in which a periodic increment is drawn by any officer, a certificate in Form No 8 should be appended.

The form provides for ^{two} alternative certificates. ^{The first alternative certificate} may be used in any case in which the increment is due for continuous service of the prescribed term less only periods of suspension and leave without allowances which are shown in the tabular portion of the certificate. An increment so certified may be drawn in the establishment bill, without further authority. In all other cases the second alternative form is required, and whenever this form is used the certificate with the explanatory memo. (which should show briefly, but clearly, the grounds on which the increment is claimed) should be submitted about one month before the increment falls due to the Accountant who will pass and return it after and the increment may be paid on certificate so passed. If the certificate be submitted at the time indicated, Accountant General will ordinarily be able to return it, so as to allow of the increment being drawn when due in the ordinary establishment bill, but if arrears of increment have accrued when the certificate is returned then may be drawn on a separate bill.

Form
See Chapter 5: Arts
Periodical Increase

Certified that the officers named below are allowed
in Column 8 for approved service:—(1) Having been
less than — year from the date in Column 7 after
on leave without pay. (2) Being entitled to the in

Name of Incumbent	Whether substantive or acting	Appointiment		Rate of Increase		Date of last
		Maximum	Minimum	Annual	Minimial	
1	2	3	4	5	6	

to certify.

the sanctioned periodical increments from the dates cited
 & the increment of the appointments specified for not
 deducting periods of suspension for misconduct and of absence
 increments as shown in the explanatory memo. attached

7 increment cor of appoint- ment to post	8 date of present increment	9 day after present in- crement	Sanctioned misconduct leave without allowances.			
			From	To	From	To
10	11	12	13			



From

~~W. P. MADHAYA RAO, Esq., C.I.E.,~~

He Revenue Commissioner

in Mysore

To

The Secretary to Government of

H. H. the Maharaja of Mysore,

General & Revenue Departments.

Dated 30 March 1904

Despatched 5 April 1904.

Received

General No. 5248
No.

ENCLOSURE No. —

Suggesting that a clear ruling
may be made to the effect that
periodical ~~once~~ increments to
officials holding appointments
carrying progressive salaries may
be granted only with the sanction
of the authorities respectively
competent to make the appointments
finally in the first instance.

Subd with a note
24/4/04.

No. 5242

FROM

~~V. P. MADHAVA RAO, Esq. (I.E.S.)~~
The Revenue Commissioner, Mysore.

TO

*The Secretary to the Government of His Highness
the Maharaja of Mysore,
General and Revenue Departments.*

SIR,

I have the honor to state that the Mysore Service Regulations do not contain any explicit rules as to the authority that is competent to sanction periodical increments to officials holding appointments carrying progressive salaries. In Article 98 of the Regulations it is said that "a periodical increment may be withheld from a ministerial ^{or menial} officer at the discretion of the Head of the office," and it is doubtful whether it can be inferred from this that the head of the office is also competent to sanction the grant of such increments.

2 Under the rules in force the Deputy Commissioners of Districts are not competent to confirm appointments the salary of which exceeds Rs 40/-. It is also understood that the increments in progressive appointments can only be earned by approved service.

3 Under these circumstances I would suggest a clear ruling that these increments may be granted only with the sanction of the authorities respectively competent to make the appointments finally in the first instance.

*I have the honor to be, Sir,
Your most obedient servant,*

*H. S. S. S. S.
For Revenue Commissioner.*

R3013

(Rho:) Office Draft. (Docket.)

The Mysore Government,
General & Revenue Secretariat,
Revenue Branch: To

The Comptroller
to the Govt. of H. H. the
Maharaja of Mysore

Date of passing the draft

Date of despatch

Regd. No.

File No. & date (if any)

No. of Encls:

In original to be
obligingly returned.

It has the honor
to forward herewith
letter No 5242 of 30th
March 1904 from
the Revenue Commr.
in Mysore and to request
that the Comptroller
will be so good as to
favor Govt with his
opinion on the suggestion
made therein as to
a definite ruling
being laid down specifically
in regard to the authority
competent to sanction
periodical increments
to officials, holding



Treasury Department.

712074
28/5/06

1904
From H. Eagles Esq
OFF THE COMPTROLLER,
MYSORE GOVT.

To L. A. van der Waarde Esq
THE SECY. TO GOVT. OF MYSORE,
Genl & Revenue Dept.

Dated 27

Despatched *W May.*

Received

Received
No. 6781
No. 1934. *Eme*

SUBJECT MATTER

stating that article
62 of the civil
Account Code is
distinctly clear in
re the granting of
increments in Progress
pay & that no
modification to
existing Rules are
necessary

Refes hufuf

30/5/04

no 6781
1994
Encore

Treasury Account DEPARTMENT



COMPTROLLER, GOVT. OF MYSORE,

BANGALORE, 26th May 1904.

From

Henry Eagles Esquire
Off. COMPTROLLER, GOVT. OF MYSORE.

To

L. C. Srinivasan Rao Esq. B.A.,
Off. SECRETARY TO THE GOVT. OF MYSORE,
General and Revenue

SIR,

In reference to your docket No. 26
3145 dated 19th May 1904 forwarding for an
expression of my opinion letter No. 5242
dated $\frac{30-3}{5-4}$ 1904 from the Revenue
Commissioner re the authority that is
competent to sanction periodical in-
crements to officials holding appor-
tments carrying progressive salaries.
I have the honor to state that the holder
of a progressive appointment is en-
titled to the periodical increment
attached thereto by right of his being
the holder unless the same is withheld
from him for reasons contemplated
in article 98 of the Mysore Service Re-
gulations, the authority competent to
withhold the increment being dis-
tinctly specified therein (Vide addendum
and correspondence No. 60 to article 98
Mysore Service Regulations).

The sanction accorded for the appointment of an officer to a post carrying progressive pay extends ipso facto to the increments attached thereto, as it is not possible to conceive of the sanction covering the appointment apart from its emoluments. This is clear also from article 62 of the Civil Account Code in which it is distinctly stated that if the certificate, as therein provided, be furnished by the head of the office under whom the official is serving he produced the increment may be drawn without further authority from which it is conclusive that the holder of a progressive appointment is entitled to the increment in the same sense in which he is entitled to pay or salary which he forfeits only if it be withheld from him for assigned reasons. I therefore deem it ~~unnecessary~~ ^{unnecessary} to modify the existing rules.

The enclosure of your document under reference is herewith returned.

I have the honor to be

Sr,
Yours most obedt servant

W. Eagles

Off Comptroller
of Revenue

File No.

Serial No.

Diary No. of letter replied to _____

Proceedings of the Government of His Highness
the Maharaja of Mysore.GENERAL AND REVENUE
SECRETARIAT.

()

, the

190.

Date of issue

21-7-1904.

Signed by

Mr. M. K. Krishnamurthy

READ.-

Letter No. 5242 of the 30th March
1904 from the Revenue Commissioner in
Mysore suggesting that a clear rubric
may be ~~issued~~^{issued} to the effect that persons
appointed to officials holding appoin-
-ments carrying professional salaries
~~ORDER THEREON - NO.~~
may be granted only with the sanction
of the Authorities respectively competent
to make the appointments ~~formally~~ in the
first instance

Correspondence ends with letter

SUBJECT

Stating that no modification of the existing rules relating
to the grant of increments on professional pay is necessary -

that increments ~~will~~ be granted only
with the sanction of the authority
responsible competent to make the
appointments ~~and~~ in the first
instance ^{maybe passed} the prompter whose view
was invited in the matter ^{however} and ^{aut. Code}
that art. 62 of the Civil is distinctly
~~clear~~ in regard to the grant of incre-
ments on prospective pay and that
no modification of the existing rule
is necessary.

2. The post, ~~as a rule~~ with the view
of the prompter ^{and observe} that when
an officer is appointed to a prospective
post it is evident that not only the
initial pay but also the subsequent
periodical increments ^{attached to the appt} ~~are~~ sanctioned

for actually earning the
increments the officer

therein. But ~~he~~ ^{he} has to satisfy some
conditions ^{and} ~~the~~ putting in a certain
period of service for actually getting
the increment. So long as the ~~he~~

head of the Office, certifies that these cond.
have been fulfilled, ^{by requiring} ~~for which purpose~~
the periodical increment
certificate is ~~issued~~ ^{issued}

